



DIVERSION / DISCIPLINE COMMITTEE MINUTES

DATE: March 20, 2008

SITE: **Hilton Los Angeles Airport**
5711 West Century Blvd., Plaza A Ballroom
Los Angeles, CA 90045
Phone: 310-410-4000
Fax: 310-410-6250

MEMBERS PRESENT: LaFrancine Tate, President
Grace Corse, Chair
Andrea Dutton, Med, ARRT

STAFF PRESENT: Ruth Ann Terry, MPH, RN, Executive Officer
Heidi Goodman, Assistant Executive Officer
Louise Bailey, RN, NEC Supervisor
Carol Stanford, Diversion & Probation Program Manager
Kay Weinkam, RN, NEC
Janette Wackerly, RN, NEC
Carmen Morales
Alice Takahasi, RN, NEC
Miyo Minato, RN, NEC
Badrieh Caraway, NEC

OTHERS PRESENT: Virginia Matthews, Maximus
Margaret Avila, LA Trade Tech.

The Acting Chair, Andrea Dutton called the meeting to order at 9:00 am.

1.0 COMMITTEE BUSINESS

Approve/Not Approve: Minutes of January 17, 2008

M/S/C: Andrea Dutton / LaFrancine Tate approved the minutes as submitted.

2.0 ENFORCEMENT PROGRAM

- a. An overview of the Board of Registered Nursing and its Enforcement Program was provided by Heidi Goodman to the attendees.

2.1 Information Only: Enforcement Program Update and Statistics

Attached are the Enforcement Program statistics for July 2007 through February 2008 (FY 2007 – 08).

Statistics continue to project that this fiscal year will have a higher number of pleadings filed than any of the five prior fiscal years. The number of disciplinary actions by default decision remains high, at 34.4% and it is noted that the majority of these default decisions are RNs that have California addresses. Every effort is made to ensure that all mailing addresses known to the Board are used to effect service of the decision. Total disciplinary actions are not increasing along with the increase in pleadings filed. However, the number of cases pending at the Attorney General's Office is the highest on record and the program will be setting up a meeting with the AG's office to discuss this issue.

Complaints received are near the highest levels seen in recent years. Based on current workload, the projected number is anticipated to increase, as well.

Enforcement Program Manager Update

Elliot Hochberg, Enforcement Program Manager accepted a promotion with the Department of Aging and started his new position on Monday, March 10, 2008. Elliot was with the Board for twelve years and was a vital resource to his staff and management. His knowledge and expertise has assisted the program in numerous ways including his participation on the NCSBN Disciplinary Resources Advisory Panel, the NCSBN Board Investigator and Attorney Workshop, DOI Investigator Workshop, legislation proposals and regulation changes that included the Disciplinary Guidelines. Additionally, he participated in various meetings with the AGs Office and DOI. He was the Board's laureate and participated in many of the office celebrations. Thank you Elliot for all your contributions to the Board, you will be missed.

Enhancements to Division of Investigation Tracking System

The Division of Investigation plans to implement the Case Assignment Tracking Systems (CATS) during the fall of 2008. This new system will permit the boards to submit request for services (RFS) electronically. Several of the Boards Enforcement Program staff had the opportunity to participate in a demonstration of this new system in January 2008.

The enhancements of this CATS system include immediate information on the location and investigator assignment and staff will be able to monitor the status of the investigation, on line. Once this system is implemented, the manual processes that the program has worked with for years will be handled electronically, which will assist the support staff with their varied responsibilities.

3.0 DIVERSION/PROBATION PROGRAMS

- a. An overview of the Board of Registered Nursing and its Diversion Program was provided by Carol Stanford to attendees.

3.1 Information Only: Diversion Program Update and Statistics

Program Update

The program manager and Ruth Ann Terry were also invited to attend the Senate Business, and Professions and Economic Development Committee regarding a hearing on Physicians and Health Practitioners Substance Abuse Programs on March 10, 2008. The Senate had several questions regarding the way the Diversion Program is run for the seven boards that have an outside contractor. Ruth Ann presented to the Committee on behalf of the BRN. She outlined the functions and successes of our program and emphasized the tools we have in place to ensure public protection.

Contract Update

The contract that was originally awarded to Maximus was rescinded due to being unresponsive in the cost proposal they submitted. Representatives of the seven Boards met immediately and worked diligently to release a new RFP before March 15th. The new RFP Contract is tentatively scheduled to be awarded in May, 2008.

The Maximus, Program Director, Virginia Matthews, provided a summary of the contractor's activities.

Diversion Evaluation Committees (DEC)

There are currently six vacancies as follows: four physicians, and Two registered nurses. Recruitment efforts continue.

Statistics

Attached is the Monthly Statistical Summary Report for December and January. As of January 31, 2008, there were 1289 successful completions in the Diversion Program.

3.2 Information Only: Probation Program Update and Statistic

Statistics

Statistics for the Probation Program through February 29, 2008 were presented. The statistics for the Probation Program have changed. They will now include the total number of probationers who have either surrendered their license or had their license revoked for the reporting period.

Since July 1, 2005 through February 29, 2008, there have been 96 probationers who have surrendered their licenses or have had their licenses revoked.

3.3 Diversion Evaluation Committee Members

**(a) Information Only: Diversion Evaluation Committee
Member Resignation**

In accordance with Business and Professions Code Section 2770.2, the Board of Registered Nursing is responsible for appointing persons to serve on the Diversion Evaluation Committees (DEC). Each DEC is composed of three registered nurses, a physician and a public member with expertise in chemical dependency and/or mental health.

Resignation

Below is the name of the Diversion Evaluation Committee member who has resigned for personal reasons.

<u>NAME</u>	<u>TITLE</u>	<u>DEC</u>	<u>NO</u>
Virginia Robertson	Nurse	Palm Springs	6

4.0 OPEN FORUM

The Acting Chair adjourned the meeting at 9:50 am.

Approved: _____